



City of San Antonio, Texas

Development Services Department

TO: Development Services Customers

SUBJECT: **INFORMATION BULLETIN # 547**
Petroleum and Natural Gas Exploration and Extraction

DATE: August 3, 2012

The Development Services Department (DSD) created this Information Bulletin (IB) to advise customers regarding the exploration and extraction of petroleum and natural gas within the municipal boundaries of the City of San Antonio.

Generally, the Unified Development Code (UDC) is silent on the issue, as the drilling and extraction of petroleum and natural gas is not identified as a use in the Code's residential and non-residential permitted use tables (§35-311). However, this activity is referenced in the textual portions of the Code in "Flex" zoning districts found in the City's South side (UD, RD, FR, MI-1 and MI-2). These references address typical concerns associated with drilling and extraction such as distances from adjacent uses, installation of pipelines and performance measures that promote safety and prevent public nuisances. The entirety of this text may be found in §35-310.18(I)(13) of the Code. These "Flex" district performance standards are not applicable to the remainder of the City's zoning districts.

Uses accessory to the actual exploration and extraction of petroleum and natural gas identified in the Code's use matrices are as follows, along with the zoning districts these uses are permitted in:

Manufacturing – Oil Well Supplies And Machinery – Manufacturing (I-2, MI-2) – this use is the actual manufacturing of components and machinery, this use does not apply to warehousing and logistical support operations

Manufacturing – Petroleum – Manufacturing Or Processing (I-2 S, MI-2 S*)* – this use is typically considered a refinery

**S – Specific Use Authorization requiring approval by the San Antonio City Council.*

Though the currently adopted UDC does not prohibit petroleum and natural gas extraction uses in any zoning districts, all development and permitting standards of the City of San Antonio shall apply including, but not necessarily limited to, tree preservation, stormwater management, setbacks, noise regulations, parking and loading standards and other requirements adopted by the City of San Antonio. This use may qualify for a subdivision plat exception pursuant to UDC §35-430(c)(5) or (c)(10). In such cases, a Certificate of Determination shall be required pursuant to IB #531, see <https://webapps1.sanantonio.gov/DSDDocumentCentral/upload/IB531.pdf>. Any

grading and/or filling over 3 inches shall require a sitework permit application, see <https://webapps1.sanantonio.gov/dsddocumentcentral/upload/BuildingPermitApplication-site.pdf>

Chapter 16, Article XIV of the City Code, relative to Extraction Operation Regulations, shall apply and is enforced by the San Antonio Fire Department, 210-207-8410, see http://library.municode.com/HTML/11508/level3/PTIICO_CH16LIBURE_ARTXIVEXOPRE.html. In addition, any use within City of right of way or on public property shall be requested through the Real Estate section of the City's Capital Improvement Management Services (CIMS) Department, 210-207-1011.

At the State level, the regulating authorities are the Texas Railroad Commission and the Texas Commission on Environmental Quality (TCEQ). Exploration and extraction information may be obtained by visiting <http://www.rrc.state.tx.us>. A Railroad Commission Drilling Permit is required for every well. In addition, a TCEQ Depth of Useable Quality Ground Water Surface Casing Form is required for bored wells, see information online at http://www.tceq.texas.gov/permitting/business_permitting.html.

The City of San Antonio will not participate in civil matters over mineral rights or surface ownership. A deed or title search may be necessary to determine who owns the rights under a piece of property. For information on deeds, please contact the Bexar County Clerk's Office, see <https://gov.propertyinfo.com/tx-bexar>.